

Minister the Hon. Courtney Houssos MLC

Budget Estimates 2024/25 – Portfolio Committee 1

5 September 2024

Questions on Notice

1: The Hon. SAM FARRAWAY: You said you haven't requested—that's fine. Has Nyree Reynolds ever requested to meet with you as the Minister for Natural Resources?

The Hon. COURTNEY HOUSSOS: I am not aware of that.

The Hon. SAM FARRAWAY: Are you happy to take it on notice and check for me?

The Hon. COURTNEY HOUSSOS: Sure.

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<https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/ministers-diary-disclosures/2024>

2: The Hon. ROBERT BORSAK: That leads me to the next question. In the \$42 billion or \$40 billion or whatever it was in previous years, do you know what the ratio of local placement was?

The Hon. COURTNEY HOUSSOS: I'd have to take that one on notice.

The Hon. ROBERT BORSAK: Maybe you could produce something on that for us, please.

The Hon. COURTNEY HOUSSOS: Yes, I would be happy to come back to you.

The Hon. ROBERT BORSAK: It would be nice to be able to measure what your new policy is in the next three or four years, compared to what the previous Government's policy was, given what I've seen here in the procurement direction 2019.

The Hon. COURTNEY HOUSSOS: We would certainly want to be able to map that as well—I am hearing some whispers.

MICHAEL COUTTS-TROTTER: We're happy to try to come back to you this

afternoon, Mr Borsak.

The Hon. ROBERT BORSAK: If you can do that, that would be good—if you can get that moving.

MICHAEL COUTTS-TROTTER: Yes.

The previous Liberal-National Government failed to put in place sufficient data collection mechanisms to track procurement expenditure of NSW-based businesses. NSW Treasury are currently taking a series of steps to reform data collection.

The Ministerial direction issued by the Minister Domestic Manufacturing and Government Procurement 'if not, why not' includes a requirement for agencies to report to the Procurement Board each quarter from 1 January 2025.

3: The Hon. DAMIEN TUDEHOPE: Mr Secretary, can I ask you a question going back to DFAT advice?

Were you directed to obtain DFAT advice?

MICHAEL COUTTS-TROTTER: We have engaged with Commonwealth colleagues and we've

engaged with the Cabinet Office, which manages New South Wales's inter-jurisdictional relationships with the

Commonwealth. We will continue to talk to Commonwealth colleagues as we put operational detail to some of the policy.

The Hon. DAMIEN TUDEHOPE: Have they given you advice in relation to whether this specific

amendment complies with our obligations under the World Trade Organization agreement?

MICHAEL COUTTS-TROTTER: I wouldn't want to put words in the mouth of my Commonwealth

colleagues. As the Minister said, we've taken our own legal advice.

The Hon. DAMIEN TUDEHOPE: Let me just be clear in relation to the answer. You have had

communications with the Commonwealth—

MICHAEL COUTTS-TROTTER: We don't have a view either way from the Commonwealth.

The Hon. DAMIEN TUDEHOPE: Nothing from the Commonwealth?

MICHAEL COUTTS-TROTTER: No.

The Hon. DAMIEN TUDEHOPE: Have you put this proposal for the amendment to this direction to the Commonwealth?

MICHAEL COUTTS-TROTTER: We are in discussions with Commonwealth agencies.

The Hon. DAMIEN TUDEHOPE: Have you put the proposal?

MICHAEL COUTTS-TROTTER: I'd need to take that on notice. I haven't been involved in those

discussions, but I'm happy to take it on notice and come back to you.

The Hon. DAMIEN TUDEHOPE: I note that you're taking it on notice, so it may be the case that—

MICHAEL COUTTS-TROTTER: You're asking whether we put the specific wording of the Minister's

direction to the Commonwealth as opposed to discussing the Government's policy objectives, and they are different things.

The Hon. DAMIEN TUDEHOPE: Well, has this wording been put to the Commonwealth?

MICHAEL COUTTS-TROTTER: No. We've taken advice internally from the Crown Solicitor's Office and in discussion with the Cabinet Office.

The NSW government and federal government frequently corresponds on a range of matters.

4: Ms SUE HIGGINSON: Minister, you know that in March this year the Gomeroi traditional owners won their appeal in the Federal Court of Australia against the Narrabri Gas Project. The chief judge said that the Native Title Tribunal should have taken into account the public interest in the mitigation of climate change when they made their decision. The tribunal now has to remake its decision. Can you confirm that the New South Wales Government, as a State party, in August this year asked the tribunal to consider new evidence, being the Commonwealth's Future Gas Strategy and the accompanying analytical report? Is that what your Government asked the tribunal to do?

The Hon. COURTNEY HOUSSOS: We did canvass these issues a little bit earlier with Mr Buckingham in relation to the gas project. I did talk about the native title—

Ms SUE HIGGINSON: This is very specific. This is about your Government being a model litigant. Did you ask them to take into account the Commonwealth's Future Gas Strategy?

The Hon. COURTNEY HOUSSOS: In relation to that specific submission that was made, I might just pass to the deputy secretary who is working closely on that matter.

Ms SUE HIGGINSON: It's very much a yes or no. Did you provide that strategy to the proceedings for them to consider—the Commonwealth Future Gas Strategy?

GEORGINA BEATTIE: Ms Higginson, I believe that may be the case, but I will have to take the specific details on notice.

No. The State is not required to put on its contentions in this matter until 8 November 2024.

Oral statements made at a preliminary hearing on the 9 August 2024 are not the State's contentions in this matter.

5: Ms SUE HIGGINSON: Did you also ask the tribunal to consider your own Government's May 2024 statement on climate change, given that the Federal Court told the tribunal they have to take into account the climate change impacts—the public interest in climate change?

GEORGINA BEATTIE: These matters are before the tribunal. They're ongoing, and we are a party to them.

Ms SUE HIGGINSON: Absolutely. Did you provide this Government's climate change statement in 2024—the most relevant government piece of information—to assist the tribunal?

GEORGINA BEATTIE: I'll have to take that on notice.

The State is required to provide its statement of contentions addressing all the criteria identified in section 39 of the Native Title Act by 8 November 2024.

6: Ms SUE HIGGINSON: Minister, I put it to you that you didn't provide the Government's policy statement on climate change and the need for the whole of government to urgently reduce emissions. Why wouldn't you do that?

The Hon. COURTNEY HOUSSOS: You've asked me a specific question about an individual submission that was made in a tribunal. I think it's probably best for me to refer to the deputy secretary about whether that was provided or not.

Ms SUE HIGGINSON: I'm saying it hasn't been. Why haven't you?

The Hon. COURTNEY HOUSSOS: You're asserting that, Ms Higginson. I'm not aware—

The CHAIR: Order! The Minister is referring it to the deputy secretary.

GEORGINA BEATTIE: Thank you, Chair. Ms Higginson, I don't have the details in front of me today of what was provided. I am also very cautious that this is a matter before the tribunal and we are a party to that.

I think the best thing today is for me to take that on notice and then provide the answer.

Ms SUE HIGGINSON: Thank you. I'd be very grateful.

Please refer to the response to Question 35. (All Assessable Prospecting Operations (APOs) and associated REFs that have been approved since 26 March 2024 are available online.

Any APO approvals prior to this date are available on request.

APO0001805, approved on 6 September 2024 (Bara Creek) is published on the website.)

7: The CHAIR: Minister, the last exploration wells for appraisal in PEL 238 within the Narrabri Gas Project area were drilled in 2014. Santos has had a decade to appraise the gas for quality and quantity, and on 19 September 2023 Santos informed stakeholders that it has sufficient information from appraising existing wells to make a final investment decision. My questions are these: Is the Government receiving royalties from Santos for gas being used to generate electricity at Wilga Park Power Station? Does the Government accept that Santos is no longer appraising the gas wells in the Narrabri Gas Project area and is extracting the gas for the sole purpose of generating electricity and profit?

The Hon. COURTNEY HOUSSOS: Mr Buckingham, I might take the specifics of that question on notice in relation to the royalties. I certainly have been to the Wilga power station and seen that there is gas that is being used and is being fed into the local grid there. But in terms of the ongoing use of the PELs, my understanding is that there is actually a requirement on the exploration licences that you have to continue to show activity in order to maintain those. I know we're running short of time, but Ms Beattie might be able to provide you with a short update on that.

Royalties are payable for beneficial use of gas. Santos submits royalty returns as required indicating their sales and allowable deductions. The amount of royalties payable depends on the volumes sold and allowable deductions.

Santos is progressing appraisal activities in the Narrabri Gas Project area in accordance with current petroleum prospecting authorities, including pilot wells in the Bibblewindi East, Bibblewindi West, Dewhurst South and Tintsville areas.

8: The Hon. CHRIS RATH: Different issues, but I might ask about Royalties for Rejuvenation. Did the \$25 million that is legislated to be put into the fund each year go into the fund at the start of the financial year?

GEORGINA BEATTIE: I'm not sure I can say exactly on timing. I can come back to you on that, but it's \$22.5 million that is allocated to the statutory fund and then \$2.5 million for operational expenses. It is allocated each financial year.

Please refer to the response provided in the hearing on page 50 of the transcript.

9: The Hon. CHRIS RATH: I might just go back to the expert panels. Were the members of the expert panels on contracts?

GEORGINA BEATTIE: I would have to take that one on notice.

Please refer to the response provided in the hearing on page 70 of the transcript.

10: The Hon. DAMIEN TUDEHOPE: Indeed. The Minister was saying that New South Wales engages in

procurement of \$42 billion. Can I have the actual figure for last year?

SONYA CAMPBELL: Goods and services, that is?

The Hon. DAMIEN TUDEHOPE: Yes, \$42 billion—a level of procurement up to June 2024.

SONYA CAMPBELL: I don't think that we have the verified spend for 2023-24. I think we have it for 2022-23.

The Hon. DAMIEN TUDEHOPE: What was it for 2022-23?

SONYA CAMPBELL: I think that's the \$42 billion.

ANDREA FORBES: That's the \$42 billion.

The Hon. DAMIEN TUDEHOPE: I think this question may have been asked this morning. Are you able to tell us, of that \$42 billion, how much went to local New South Wales businesses?

SONYA CAMPBELL: I think we'd have to take that question on notice from when it was asked this morning.

In the 2022–23 financial year, the NSW Government spent \$41.6 billion on goods, services, and construction

The previous Liberal-National Government failed to put in place sufficient data collection mechanisms to track procurement expenditure of NSW-based businesses. NSW Treasury are currently taking a series of steps to reform data collection.

11: The Hon. DAMIEN TUDEHOPE: Again, you may not be aware of this, but do you recall that DFAT in

fact wrote to the New South Wales Government and identified the fact that the proposal directly conflicted with

Australia's obligations under its free trade agreements?

SONYA CAMPBELL: I am not aware of that advice.

The Hon. DAMIEN TUDEHOPE: Will you take that on notice?

SONYA CAMPBELL: That would be advice, obviously, to the former Government, which can't be

disclose to the current Government.

The Hon. DAMIEN TUDEHOPE: I'm happy for you to disclose it.

SONYA CAMPBELL: Is your question am I aware of that advice? My answer is no.

The NSW Government and Federal Government frequently correspond on a range of matters.

12: The Hon. CHRIS RATH: I've got other non-procurement questions. I started asking these questions in

the Treasurer's estimates the other day, so I think you've had a bit of time to prepare. I want to ask about interstate

debt. How much money do other States still owe New South Wales because of hotel quarantine bills accrued

during COVID?

SONYA CAMPBELL: I will defer to Ms Livingstone, but I did discuss this with the Secretary during

the lunchbreak. His response to me is that we are responding to that question on notice for the Treasurer.

LIZ LIVINGSTONE: We will certainly do that. We should also say that debts are not recorded on the

New South Wales balance sheet and do not need to be written off if they're not recovered.

State of residence	Amounts outstanding (\$)
QLD	105,787,387

WA	26,627,911
ACT	7,409,840
SA	6,441,661
NT	6,661,406

13: The Hon. CHRIS RATH: I might ask some questions, and some of these might have to be taken on notice. I wanted to know how much we are owed by other States, broken down by State. I assume it's mostly Queensland that still owes us compared to the others. Also, is there any money that we're owed that is not COVID related? I assume it probably is all COVID—or the vast majority of it—but is there's any other interjurisdictional debt that New South Wales might be owed?

LIZ LIVINGSTONE: That's right. COVID is a peculiar case because of the circumstances in which the fees were incurred. There are certainly other arrangements where States might use each other's services. There are different mechanisms to reimburse each other for those things. There are no instances that we are concerned about in terms of having outstanding payments. Health is a good example. Someone close to a border might use a hospital in another State, and there are arrangements in place to pay States for that. Some of those boundary-type issues are also dealt with in the allocation of health GST.

The Hon. CHRIS RATH: Fair enough. I think in those instances the State that might owe us money will pay us back. It's just with the quarantine bill that some of them are refusing to do so. I also wanted to know if any of the money has been paid back from the hotel quarantine bill?

LIZ LIVINGSTONE: Any at all?

The Hon. CHRIS RATH: Yes, or how much.

LIZ LIVINGSTONE: Certainly most of the quarantine amounts were paid back. I might hand over to my colleague, Joann, who is actually more expert in this compared to myself.

JOANN WILKIE: I have a table of figures here, Mr Rath. I can read them out for you

if you would like.

The Hon. CHRIS RATH: Yes. How big is the table?

JOANN WILKIE: It is a page of figures. As Ms Livingstone and Ms Campbell said, we can provide this on notice.

The Hon. CHRIS RATH: That would be good if you could provide that on notice rather than going through it now.

JOANN WILKIE: How about we do that, because it's a jumble of numbers otherwise.

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14: The Hon. CHRIS RATH: I think last time around you were going to come back to us with a specific number of properties that were subject to that surcharge. You gave me a loose figure last time which was—you may have taken it on notice in the Treasurer's estimates, but I'll probably just say it again in case I've missed it. If there's any information that you can provide about the number of properties that have been subject to the foreign surcharge levy, maybe for the last couple of years, and in particular with the increased tax that's come in.

SCOTT JOHNSTON: Sure. I can take that on notice.

The Hon. CHRIS RATH: That would be helpful. I think I mentioned it in the Treasurer's estimates, but I'm not sure.

There are around 20,000 foreign-owned residential properties in NSW. In recent years, fewer than 2,000 residential properties have been purchased each year by foreign

investors in NSW. This is equivalent to less 1 per cent of the total number of residential properties purchased in NSW each year.

15: The Hon. DAMIEN TUDEHOPE: The threshold for land tax has not been indexed this year. How many additional properties do you expect will be the subject of a land tax assessment for the first time in 2025 when the land tax assessments are being issued?

SCOTT JOHNSTON: That would be a Treasury question in terms of the modelling.

The Hon. DAMIEN TUDEHOPE: Have we done any modelling on how many properties or additional properties are likely to be—

JOANN WILKIE: We've done modelling using previous valuations in terms of what we think the freezing will mean in terms of the revenue, but we haven't specifically looked at numbers of properties. I can take that on notice.

According to the 2024-25 Budget, the freeze is expected to generate \$222 million in 2025 (the 2024-25 financial year). This revenue will come from both existing properties and additional properties.

16: The Hon. DAMIEN TUDEHOPE: If I told you it was 11 million people that visit The Star casino each year, would that surprise you?

SONYA CAMPBELL: That would sound reasonable, yes.

The Hon. DAMIEN TUDEHOPE: So if I told you that there were 4,000 people employed there, that's about right, is it not?

SONYA CAMPBELL: Yes, we have looked at the number of employees at The Star casino.

The Hon. DAMIEN TUDEHOPE: In terms of ensuring that there wasn't a significant impact on the New South Wales economy by virtue of decisions relating to The Star casino, would you agree that there is a case to be made by The Star casino, in view of the fact that there is now new management in place, to give some latitude in terms of their tax obligations?

The Hon. STEPHEN LAWRENCE: Point of order: That's really seeking an opinion on the making of policy.

The Hon. ROBERT BORSAK: No, proceed with the question and we'll see what happens.

SONYA CAMPBELL: I think these questions were answered this morning by the Treasury secretary.

I don't have anything further to add to what he said and to what is on the public record on behalf of the New South Wales Government. I think the important point that the secretary made is that the circumstances from when we were looking at the New South Wales based tax last year and the circumstances of The Star now are different. The Hon. **DAMIEN TUDEHOPE:** What do you say is different, besides the additional debt which is being incurred in respect of the Queensland casino?

SONYA CAMPBELL: I would take that on notice. I'm not in the detail at the moment on this, Mr Tudehope.

The New South Wales Government has indicated to The Star that it's not prepared to consider deferring gaming tax or payroll tax. The situation facing The Star at the moment is much more complex than it was when the Government negotiated an alternative approach to taxation increases, a cashless gaming pilot and a jobs guarantee.

17: The Hon. CHRIS RATH: I might turn to the payroll tax for medical centres issue. What modelling has been done about how visits to a GP could become cheaper as a result of the change of policies? Is this to Ms Wilkie?

JOANN WILKIE: It's probably better directed to me since it's on the policy. Administration/policy is the way we divide it up. As Minister Houssos said this morning, Mr Rath, we worked closely with the health department on looking at these issues and the modelling around the impact on GPs, visits to GPs, and then the impact around emergency departments was done by the department of health. So I would have to take that on notice. I don't have any of that detail with me.

The Hon. CHRIS RATH: This question might be to Health or you might need to take it on notice. Is there any evidence of GPs in medical centres reducing their fees as a result of the Government's budget announcement?

JOANN WILKIE: I'm not aware of any. We can talk to the health department and see if they're aware of any. Yes, the announcement was made in the budget on 18 June; the regulation only came into effect yesterday, so we may not have any data.

The Hon. CHRIS RATH: If there is anything—

JOANN WILKIE: We can.

The Hon. CHRIS RATH: This one probably is to Mr Johnston. What is the forecasted collection of payroll tax from medical centres this financial year?

SCOTT JOHNSTON: It's really, again, back to Treasury actually, for forecasting and modelling.

The Hon. CHRIS RATH: Is it? Sorry, I thought it might be you.

SCOTT JOHNSTON: We do the doing bit.

JOANN WILKIE: Sorry?

The Hon. CHRIS RATH: What is the forecasted revenue from payroll tax from medical centres for this financial year?

JOANN WILKIE: The rebate? The support or the actual money we'll collect?

The Hon. CHRIS RATH: The overall figure and the rebate. Start with the overall figure, if you have it. Or if you need to, take it on notice.

JOANN WILKIE: I think I'll have to take that on notice. We have in the budget forecasts how much we'll collect in payroll tax overall, and then in the measure for the Bulk-Billing Support Initiative we've put in the costings of what the rebate is, but I'll have to take on notice how much we expect to collect from GPs and centres.

The payroll tax relief provides rebates to practices that meet the specified bulk-billing thresholds. This is intended to protect bulk-billing rates across NSW. Forecasted

payroll tax revenue is available in the 2024-25 Budget Papers. Treasury forecasts and reports payroll tax revenues in aggregate, rather than by location.

18: The Hon. CHRIS RATH: Sorry, just to confirm, could we get the overall figure and the rebate figure?

JOANN WILKIE: Yes.

The Hon. CHRIS RATH: Do you differentiate at all between metropolitan and regional? Or could you, if those figures exist?

JOANN WILKIE: Payroll tax is forecast on an economic model rather than, say, something like coal royalties where we do actually look specifically at volumes. So we may not have that data, but we'll have a look and see what we've got.

Treasury forecasts and reports payroll tax revenues in aggregate, rather than by location.

19: The Hon. CHRIS RATH: Would you have any data about the number of medical practices that are currently bulk-billing versus not, and how the rebate might lead to a change or an increase in the number of bulk-billing practices?

JOANN WILKIE: Again, I think it was Health that undertook that work, not Treasury, so I'll have to take that on notice. But, again, I believe the Commonwealth department of health collects that data.

The Commonwealth Health Department releases quarterly Medicare statistics. The most recent release is for the 2023-24 June quarter, which reports that NSW's Medicare Benefits Schedule (MBS) bulk-billing rate was 83.1 per cent.

20: The Hon. CHRIS RATH: Yes, thank you for that. How many businesses—small businesses or businesses generally, I suppose—have had to pay back the funds that they received through the JobSaver program? If you have to take it on notice, that's fine.

SCOTT JOHNSTON: I might take it on notice just to give it clearer. I have information available.

The Hon. CHRIS RATH: Yes, and maybe if you can also take on notice the value—the number of businesses and the dollar figure as well that would have to be paid

back through JobSaver.

SCOTT JOHNSTON: Sure.

Questions in relation to the repayment of the JobSaver Grant are best directed to Service NSW.

21: The Hon. CHRIS RATH: The other question, which you probably need to take on notice, is very specific.

How many debt recovery notices have been issued, and how many have been overturned as well? I assume there is a number—I'm not sure what proportion, but there'd be a number that would have been challenged or have been overturned.

SCOTT JOHNSTON: Yes, there are some that would have been withdrawn, some from a hardship perspective were considered, so I can probably categorise that and frame it in a way that probably meets your needs.

2,383 Debt Recovery Orders have been issued by Revenue NSW. 969 have been withdrawn.

22: The Hon. DAMIEN TUDEHOPE: A company known as Zenith was a CFMEU-related body that has gone into liquidation owing \$15.4 million in payroll tax. It's a labour hire firm. What steps will be taken, if any, to recover that \$15.4 million?

SCOTT JOHNSTON: Obviously, we have to have care around speaking on individual matters, but I'll take that on notice.

The Hon. DAMIEN TUDEHOPE: It's publicly reported.

SCOTT JOHNSTON: No, I appreciate that. I'll take that on notice.

The Hon. DAMIEN TUDEHOPE: You're not identifying the taxpayer. This is one that's—

SCOTT JOHNSTON: No, I appreciate that, but I'll take that on notice if I could, Mr Tudehope.

Revenue NSW is not authorised to disclose information relevant to specific customers.

23: The Hon. DAMIEN TUDEHOPE: Additionally, there was another identified—and this might breach the obligations that I used to rail against on so many occasions which, now that

I'm on this side, I won't rail against nearly as much. Synergy Scaffolding Services also is a company which has gone into liquidation and was fined \$2 million for Christopher Cassaniti's death. How much payroll tax was owing by that company?

SCOTT JOHNSTON: Again, I suspect I can't answer that, but I'll take it on notice.

Revenue NSW is not authorised to disclose information relevant to specific customers.

24: The Hon. DAMIEN TUDEHOPE: How many cases are currently ongoing in relation to the collection of payroll tax, for the first time, from companies where the commissioner has made a decision that the model is one where the people working in that business are employees and not independent contractors?

CULLEN SMYTHE: You're referring to court cases?

The Hon. DAMIEN TUDEHOPE: Yes.

CULLEN SMYTHE: I think we'd have to take that on notice.

Businesses that pay payroll tax have a statutory right of review to challenge a payroll tax assessment. The resources dedicated to responding to these proceedings vary based on the nature and complexity of those proceedings.

25: The Hon. DAMIEN TUDEHOPE: For that matter, how many new assessments for payroll tax have arisen as a result of an audit which has given rise to an assessment of payroll tax for the first time in circumstances where their employees are deemed to be employees and not independent contractors.

CULLEN SMYTHE: Again, we'd need to take it on notice. Actually, answering that question might be difficult, but we'll see what we can pull together.

During the 2023/2024 financial year, Revenue NSW audited 209 previously unregistered payroll tax customers where their assessment included relevant contractor payments.

26: The Hon. DAMIEN TUDEHOPE: Can you tell us how much in relation to legal fees you've spent in respect of payroll tax or recovery of payroll tax liabilities in the 2023-24 period?
SCOTT JOHNSTON: I'll take that on notice.

Agency legal expenditure is reported in agency annual reports. Matters are also funded out of the Attorney General's Legal Fund.

27: The Hon. DAMIEN TUDEHOPE: Can you tell us also—I think I've already asked you this, potentially—how many new businesses have found themselves liable?
SCOTT JOHNSTON: We'll see what we can do—specifically related to contractors.
The Hon. DAMIEN TUDEHOPE: Specifically, yes.
SCOTT JOHNSTON: That might be where it's complicated for us to work through that, I apologise.

For the 2023/2024 financial year, 530 previously unregistered payroll tax customers lodged returns which included relevant contractor payments.

28. The Hon. DAMIEN TUDEHOPE: Can I ask you about phoenix-ing? This is a hoary old chestnut. Have you got any current provisions or measures in place relating to phoenix-ing, help to recover payroll tax?

CULLEN SMYTHE: Yes.

The Hon. DAMIEN TUDEHOPE: Are they publicly available?

CULLEN SMYTHE: There's provisions in the payroll tax legislation.

The Hon. DAMIEN TUDEHOPE: Which allows you to pursue directors?

CULLEN SMYTHE: Yes.

The Hon. DAMIEN TUDEHOPE: For outstanding payroll tax.

CULLEN SMYTHE: Yes.

The Hon. DAMIEN TUDEHOPE: How many cases have these laws been applied in since the new legislation has been introduced?

CULLEN SMYTHE: We will take that on notice

Revenue NSW has applied the phoenixing provisions to 9 matters.

29: The Hon. DAMIEN TUDEHOPE: And, I suppose, the amount recovered as a result of those provisions.

This might be again for you, Ms Campbell. There is an election commitment to reduce expenditure on consultants

by \$35 million per year. What was the figure for expenditure on consultants in 2022-23 that you're using,

potentially, as a base to measure progress on fulfilling this commitment?

LIZ LIVINGSTONE: Mr Tudehope, it actually sits in my area, monitoring that commitment.

The Hon. DAMIEN TUDEHOPE: Good, okay.

LIZ LIVINGSTONE: I appreciate that it's confusing. I'd have to take on notice, the figure in 2022-23.

The Hon. DAMIEN TUDEHOPE: That's okay.

The election commitment savings associated with the travel, consultants, and labour hire reductions were removed from agency budgets as part of the 2023-24 Budget.

Please refer to the response to Legislative Council question on notice 2490.

[2490 - Finance - CONTRACTORS, LEGAL EXPENSES, AND TRAVEL](#)

30: The Hon. DAMIEN TUDEHOPE: The other commitment was in relation to travel. There was an election commitment to reduce expenditure on government sector travel by \$40 million per year. Again, what was the baseline figure you were using?

LIZ LIVINGSTONE: Similar answer. That last answer I gave aggregated travel, advertising, labour and consultants, but I can take on notice the detail.

The election commitment savings associated with the travel, consultants, and labour hire reductions were removed from agency budgets as part of the 2023-24 Budget.

Please refer to the response to Legislative Council question on notice 2490:

[2490 - Finance - CONTRACTORS, LEGAL EXPENSES, AND TRAVEL](#)

31: The Hon. DAMIEN TUDEHOPE: You've had enough time now to think about the impact, Mr Smythe, of Vanderstock. I'm sure you've probably done a treatise in relation to that decision. Have you formed a view about whether there are any other taxes imposed by the State of New South Wales which could find themselves in breach of the decision of Vanderstock or could fall foul of that decision?

CULLEN SMYTHE: Thank you, Mr Tudehope. I think that's probably a question that goes beyond the remit of the Commissioner of State Revenue, who merely administers the legislation according to the Taxation Administration Act under the direction of the chief commissioner.

The Hon. DAMIEN TUDEHOPE: But I'm sure you've turned your mind to it, haven't you?

CULLEN SMYTHE: I'll take that on notice.

The judgement in the Vanderstock case remains under consideration by the NSW Government.